

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
ON APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Anders Vinberg
Serial No.: 10/091,065
Filing Date: March 4, 2002
Group Art Unit: 2452
Examiner: Philip C. Lee
Confirmation No.: 8010
Title: METHOD AND APPARATUS FOR GENERATING CONTEXT-
 DESCRIPTIVE MESSAGES

MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

CORRECTED APPEAL BRIEF

Appellant has appealed to the Board of Patent Appeals and Interferences ("*Board*") from the Final Office Action dated February 10, 2009 ("*Final Office Action*") and the Advisory Action dated April 21, 2009. Appellant filed a Notice of Appeal and Pre-Appeal Brief on May 8, 2009 with the statutory fee of \$540.00. An Appeal Brief was filed in response to Notice of Panel Decision from Pre-Appeal Brief Review dated July 30, 2009, finally rejecting Claims 1, 3-9, 11, 13-20, and 31-36. Appellants respectfully submit this Corrected Appeal Brief in response to the Notification of Noncompliant Appeal Brief dated September 22, 2009. As requested by the Examiner, only the amended sections of the Appeal Brief are submitted now.

STATUS OF CLAIMS

Claims 1, 3-9, 11, 13-20, and 31-36 are pending and stand rejected pursuant to a Final Office Action dated February 10, 2009 ("*Final Office Action*") and a Notice of Panel Decision from Pre-Appeal Brief Review dated July 30, 2009 ("*Panel Decision*"). Specifically, the *Final Office Action* includes the following rejections:

1. Claims 1, 3-5, 9, 11, 13-15 and 33-36 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,125,390 issued to Touboul ("*Touboul*") and U.S. Patent No. 6,049,828 issued to Dev et al. ("*Dev*") in view of U.S. Patent No. 5,761,502 issued to Jacobs ("*Jacobs*").
2. Claims 6 and 16 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Touboul*, *Dev* and *Jacobs* in view of U.S. Patent No. 6,011,838 to Cox ("*Cox*").
3. Claims 7 and 17 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Touboul*, *Dev* and *Jacobs* in view of U.S. Patent No. 5,748,098 to Grace ("*Grace*").
4. Claims 8 and 18 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Touboul*, *Dev* and *Jacobs* in view of U.S. Patent No. 6,006,016 to Faigon et al. ("*Faigon*").
5. Claims 19-20 and 31-32 under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Touboul*, *Dev* and *Jacobs* in view of U.S. Patent No. 5,933,601 to Fanshier ("*Fanshier*").

Claim 37 was added in the Response to Final Office Action submitted by Appellant on April 9, 2009 ("*Response to Final*"). However, the amendment has not been entered. In response to an Election/Restriction Requirement, Claims 21-30 were withdrawn in a Response submitted on February 24, 2006. Claim 10 was cancelled in a Response submitted on October 6, 2005. Claims 2 and 12 were cancelled in a Response submitted on September 21, 2006.

For the reasons discussed below, Appellant respectfully submits that the rejections of Claims 1, 3-9, 11, 13-20, and 31-36 are improper and should be reversed by the Board. Accordingly, Appellant presents Claims 11, 3-9, 11, 13-20, and 31-36 for Appeal.

CLAIMS APPENDIX

1. **(Rejected)** A method for reporting the context of an alert condition, comprising:
 - reporting an alert condition associated with a subject system object;
 - receiving, in response to the reporting of the alert condition, a user-generated text-based dialogue request specifying a user defined type of context data for the subject system object and one or more relevant system objects known to be associated with the subject system object;
 - accessing a database to identify a group of system objects known to be associated with one another;
 - identifying, from the group of system objects, a relevant system object that is known to be associated with the subject system object;
 - analyzing the subject system object associated with the alert condition and the relevant system object to obtain the context data;
 - generating a context message based on the context data, the context message responsive to the user-generated request dialogue; and
 - outputting the context message.
2. **(Canceled)**
3. **(Rejected)** The method of claim 1, wherein the analyzing includes determining properties of the subject system object.
4. **(Rejected)** The method of claim 1, wherein analyzing includes determining a physical location of a component represented by the subject system object.
5. **(Rejected)** The method of claim 1, wherein analyzing includes determining a logical relationship of a component represented by the subject system object to a component represented by the relevant system object.
6. **(Rejected)** The method of claim 1, wherein analyzing includes determining a traffic load associated with the subject system object.

7. **(Rejected)** The method of claim 1, wherein the relevant system object representing a component that is dependent on a component represented by the subject system object.

8. **(Rejected)** A method for reporting the context of an alert condition, comprising:

reporting an alert condition associated with a subject system object;

receiving, in response to the reporting of the alert condition, a user-generated text-based dialogue request textually requesting context data for the subject system object and one or more relevant system objects known to be associated with the subject system object;

accessing a database to identify a group of system objects known to be associated with one another;

identifying, from the group of system objects, a relevant system object that is known to be associated with the subject system object;

analyzing the subject system object associated with the alert condition and the relevant system object to obtain context data;

generating a context message based on the context data, the context message responsive to the user-generated request dialogue;

outputting the context message; and

wherein generating includes replacing quantifiable context data with a qualitative identifier.

9. **(Rejected)** A system for reporting the context of an alert condition, comprising:
a management application processor comprising:
 means for reporting an alert condition associated with a subject system object;
 means for receiving, in response to the reporting of the alert condition, a user-generated text-based dialogue request specifying a user defined type of context data for the subject system object and one or more relevant system objects known to be associated with the subject system object;
 means for accessing a database to identify a group of system objects known to be associated with one another;
 means for identifying, from the group of system objects, a relevant system object that is known to be associated with the subject system object;
 means for analyzing the subject system object associated with the alert condition and the relevant system object to obtain the context data;
 means for generating a context message based on the context data, the context message responsive to the user-generated request dialogue; and
 means for outputting the context message.
10. **(Canceled)**

11. **(Rejected)** Logic encoded in a storage medium and operable when executed to:
report an alert condition associated with a subject system object;
receive, in response to the reporting of the alert condition, a user-generated text-based
dialogue request specifying a user defined type of context data for the subject system object and
one or more relevant system objects known to be associated with the subject system object;
access a database to identify a group of system objects known to be associated with one
another;
identify, from the group of system objects, a relevant system object that is known to be
associated with the subject system object;
analyze the subject system object associated with the alert condition and the relevant
system object to obtain the context data;
generate a context message based on the context data, the context message responsive
to the user-generated request dialogue; and
output the context message.

12. **(Canceled)**

13. **(Rejected)** The logic of claim 11, wherein when analyzing at least the subject
system object, the logic is further operable to determine properties of the subject system object.

14. **(Rejected)** The logic of claim 11, wherein when analyzing at least the subject
system object, the logic is further operable to determine a physical location of a component
represented by the subject system object.

15. **(Rejected)** The logic of claim 11, wherein when analyzing at least the subject
system object, the logic is further operable to determine a logical relationship of a component
represented by the subject system object to a component represented by the relevant system
object.

16. **(Rejected)** The logic of claim 11, wherein when analyzing at least the subject
system object, the logic is further operable to determine a traffic load associated with the
subject system object.

17. **(Rejected)** The logic of claim 11, wherein the relevant system object representing a component that is dependent on a component represented by the subject system object.

18. **(Rejected)** The logic of claim 11, wherein when generating the logic is further operable to replace quantifiable user defined context data with a qualitative identifier.

19. **(Rejected)** The logic of claim 11, wherein the relevant system object represents a component that is a sub-component of a component represented by the subject system object.

20. **(Rejected)** The logic of claim 11, wherein the relevant system object represents a component that is in a grouping with a component represented by the subject system object.

21. **(Withdrawn)** A system for reporting the context of an alert condition, comprising:

- a database storing data associated with a plurality of system objects, the plurality of objects comprising at least a subject system object and a relevant object;

- a management application module coupled to the database and operable to:

- report an alert condition associated with a subject system object;

- identify a relevant system object that is associated with the subject system object;

- analyze the subject system object associated with the alert condition and the relevant system object to obtain context data;

- generate a context message based on the context data; and

- output the context message.

22. **(Withdrawn)** The system of claim 21, wherein the management application is further operable to receive a request to report the context of the alert condition.

23. **(Withdrawn)** The system of claim 21, wherein when analyzing at least the subject system object, the management application is operable to determine properties of the subject system object.

24. **(Withdrawn)** The system of claim 21, wherein when analyzing at least the subject system object, the management application is operable to determine a physical location of a component represented by the subject system object.

25. **(Withdrawn)** The system of claim 21, wherein when analyzing at least the subject system object, the management application is operable to determine a logical relationship of a component represented by the subject system object to a component represented by the relevant system object.

26. **(Withdrawn)** The system of claim 21, wherein when analyzing at least the subject system object, the management application is operable to determine a traffic load associated with the subject system object.

27. **(Withdrawn)** The system of claim 21, wherein the relevant system object represents a component that is dependent on a component represented by the subject system object.

28. **(Withdrawn)** The system of claim 21, wherein when generating the context message, the management application is operable to replace quantifiable context data with a qualitative identifier.

29. **(Withdrawn)** The system of claim 21, wherein the relevant system object represents a component that is a sub-component of a component represented by the subject system object.

30. **(Withdrawn)** The system of claim 21, wherein the relevant system object represents a component that is in a grouping with a component represented by the subject system object.

31. **(Rejected)** The method of claim 1, wherein the relevant system object represents a component that is a sub-component of a component represented by the subject system object.

32. **(Rejected)** The method of claim 1, wherein the relevant system object represents a component that is in a grouping with a component represented by the subject system object.

33. **(Rejected)** The method of claim 1, wherein the type of user defined context data is selected from the group consisting of location information for the subject system object, logical relationship information of the subject system object to other system objects, operational status information of the subject system object, or information regarding interest/business groups associated with the subject system object.

34. **(Rejected)** The method of claim 1, wherein the user-generated text-based dialogue request comprises a first user-generated text-based dialogue request specifying a user defined type of context data; and further comprising:

after outputting the context message, receiving a second user-generated text-based dialogue request specifying a second user defined type of context data.

35. **(Rejected)** The method of claim 1, wherein the user-generated text-based dialogue request textually requests the user defined type of context data.

36. **(Rejected)** The method of claim 1, wherein the context message contains the user defined type of context data specified in the request.

37. **(Not Entered)** The method of claim 1, wherein the alert condition is reported to a user; and further comprising:

enabling the user to specify the user defined type of context data after receiving the alert condition.

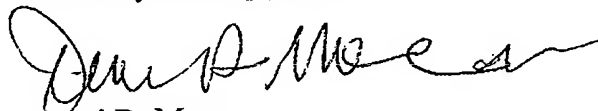
CONCLUSION

Appellant has demonstrated that the present invention, as claimed, is clearly distinguishable over the prior art cited by the Examiner. Therefore, Appellant respectfully requests the Board to reverse the final rejections and instruct the Examiner to issue a Notice of Allowance with respect to all pending claims.

No fees are believed due; however, the Commissioner is authorized to charge any additional fees or credits to Deposit Account No. 02-0384 of Baker Botts, L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Appellant



Jenni R. Moen
Reg. No. 52,038
(214) 415-4820

Dated: October 21, 2009

Correspondence Address:

at Customer No.

05073